

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

DIANA WILLIS and GEORGE WILLIS,

Plaintiffs,

vs.

Civ. No. 13-280 KG/KBM

GOVERNMENT EMPLOYEES INSURANCE COMPANY,  
GEICO GENERAL INSURANCE COMPANY, BOB  
SMITH, KATHY BROWN, DANIEL ULIBARRI, and  
BERKSHIRE HATHAWAY, INC.,

Defendants.

ORDER

On July 19, 2013, Defendants Government Employees Insurance Company, GEICO Casualty Company, GEICO Indemnity Company, and GEICO General Insurance Company filed a STIPULATED MOTION TO EXTEND RESPONSIVE PLEADING OR MOTION DEADLINES FOR CERTAIN DEFENDANTS (Doc. No. 20) (Stipulated Motion to Extend Deadlines). The Court notes that Plaintiffs have since voluntarily dismissed without prejudice their claims against Defendants GEICO Indemnity Company and GEICO Casualty Company. *See* NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF CLAIMS AGAINST GEICO INDEMNITY COMPANY AND GEICO CASUALTY COMPANY (Doc. No. 47), filed Sept. 9, 2013. The Stipulated Motion to Extend Deadlines is, therefore, moot as to those dismissed Defendants.

The remaining movants sought to extend the time to file either a responsive pleading or a motion under Fed. R. Civ. P. 12(b)(1) through (6) as follows: Defendant Government Employees Insurance Company would have an August 11, 2013 deadline and Defendant GEICO General Insurance Company would have an August 15, 2013 deadline. Plaintiffs did not oppose

those deadlines. In fact, Defendant Government Employees Insurance Company filed DEFENDANTS GOVERNMENT EMPLOYEES INSURANCE COMPANY, GEICO INDEMNITY COMPANY, AND GEICO CASUALTY COMPANY'S MOTION TO DISMISS (Doc. No. 35) (Motion to Dismiss) on August 9, 2013, and Defendant GEICO General Insurance Company filed DEFENDANT GEICO GENERAL INSURANCE COMPANY'S ANSWER TO PLAINTIFFS' COMPLAINT FOR UNDERINSURED MOTORIST COVERAGE BENEFITS, FOR INSURANCE BAD FAITH, FOR BREACH OF NEW MEXICO INSURANCE CODE AND NEW MEXICO UNFAIR TRADES PRACTICES ACT, FOR INJUNCTIVE RELIEF, FOR DECLARATORY JUDGMENT AND RELATED CAUSES OF ACTION (Doc. No. 38) (Answer) on August 15, 2013.

Considering the unopposed nature of the Stipulated Motion to Extend Deadlines and considering that both Defendants Government Employees Insurance Company and GEICO General Insurance Company filed their respective Motion to Dismiss and Answer by the agreed upon deadlines, the Court finds good cause to grant the Stipulated Motion to Extend Deadlines and to deem the Motion to Dismiss and the Answer as timely filed.

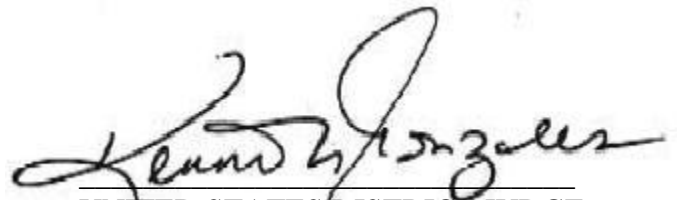
IT IS ORDERED that:

1. the STIPULATED MOTION TO EXTEND RESPONSIVE PLEADING OR MOTION DEADLINES FOR CERTAIN DEFENDANTS (Doc. No. 20) is denied as moot as to Defendants GEICO Indemnity Company and GEICO Casualty Company;

2. the STIPULATED MOTION TO EXTEND RESPONSIVE PLEADING OR MOTION DEADLINES FOR CERTAIN DEFENDANTS (Doc. No. 20) is granted as to Defendants Government Employees Insurance Company and GEICO General Insurance Company;

3. DEFENDANTS GOVERNMENT EMPLOYEES INSURANCE COMPANY, GEICO INDEMNITY COMPANY, AND GEICO CASUALTY COMPANY'S MOTION TO DISMISS (Doc. No. 35) is deemed timely filed; and

4. DEFENDANT GEICO GENERAL INSURANCE COMPANY'S ANSWER TO PLAINTIFFS' COMPLAINT FOR UNDERINSURED MOTORIST COVERAGE BENEFITS, FOR INSURANCE BAD FAITH, FOR BREACH OF NEW MEXICO INSURANCE CODE AND NEW MEXICO UNFAIR TRADES PRACTICES ACT, FOR INJUNCTIVE RELIEF, FOR DECLARATORY JUDGMENT AND RELATED CAUSES OF ACTION (Doc. No. 38) is deemed timely filed.



UNITED STATES DISTRICT JUDGE